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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 ANDERS TRON-HAUKEBO,

11 Plaintiff,

12 v.

13 WASHINGTON STATE
14 DEPARTMENT OF
TRANSPORTATION, et al.,

15 Defendants.

CASE NO. C23-5691JLR

ORDER

16 **I. INTRODUCTION**

17 Before the court are two motions filed by Plaintiff Anders Tron-Haukebo, who is
18 proceeding *pro se* and *in forma pauperis* (“IFP”) in this action: (1) a motion for leave to
19 serve Defendants the Washington State Department of Transportation (“WSDOT”) and
20 Washington State Ferries (“WSF”) (together, “Defendants”) by certified mail (Service
21 Mot. (Dkt. # 7)) and (2) a motion to reassign this action from the Tacoma Division of this
22 District to the Seattle Division (Division Mot. (Dkt. # 8)). Although Mr. Tron-Haukebo’s

1 motions are noted for consideration on September 1, 2023 (*see* Dkt.), the court sees no
2 reason to delay a decision on the motions because Defendants have not yet been served
3 with the summons and complaint in this action. *See* Fed. R. Civ. P. 1 (directing district
4 courts to construe and administer the the Federal Rules “to secure the just, speedy, and
5 inexpensive determination of every action and proceeding”). The court has considered
6 Mr. Tron-Haukebo’s motions, the relevant portions of the record, and the governing law.
7 Being fully advised, the court GRANTS in part Mr. Tron-Haukebo’s motion for leave to
8 serve Defendants by certified mail and DENIES his motion to reassign this action from
9 the Tacoma Division to the Seattle Division without prejudice to renewing it after
10 Defendants appear in this action.

11 II. ANALYSIS

12 The court first considers Mr. Tron-Haukebo’s motion for leave to serve
13 Defendants by certified mail, then considers the motion to reassign this action to the
14 Seattle Division.

15 A. Motion for Leave to Serve by Certified Mail

16 Mr. Tron-Haukebo asks the court for leave to serve Defendants by certified mail
17 because he is indigent. (Service Mot.) He argues that it would be in the interest of
18 justice to allow him to serve by mail rather than by personal service. (*Id.*)

19 In an action brought by a plaintiff who is proceeding IFP, “the officers of the court
20 shall issue and serve all process.” 28 U.S.C. § 1915(d). Federal Rule of Civil Procedure
21 4(c)(3) further provides, “[a]t the plaintiff’s request the court may order that service be
22 made by a United States marshal or deputy marshal or by a person specially appointed by

1 the court. The court must so order if the plaintiff is authorized to proceed in forma
 2 pauperis” Fed. R. Civ. P. 4(c)(3). Therefore, rather than permit Mr. Tron-Haukebo
 3 to serve Defendants by certified mail, the court will order the U.S. Marshals Service to
 4 effectuate service.

5 **B. Motion to Reassign to the Seattle Division**

6 Mr. Tron-Haukebo “moves that this matter be heard and resolved by the U.S.
 7 District Court sitting in Seattle.” (Division Mot.) He argues that reassignment to the
 8 Seattle Division is appropriate because Defendants “have offices in and near Seattle,
 9 Washington” and because travel from his home in Sequim, Washington to Seattle is
 10 “more easily accomplished” using public transportation than travel from his home to
 11 Tacoma. (*Id.*) The court declines to consider Mr. Tron-Haukebo’s motion to reassign
 12 this action to the Seattle Division before Defendants have had the opportunity to respond
 13 to it. Accordingly, the court denies this motion without prejudice to Mr. Tron-Haukebo
 14 renewing the motion after Defendants have appeared in this action.

15 **III. CONCLUSION**

16 For the foregoing reasons, the court GRANTS in part Mr. Haukebo’s motion for
 17 leave to serve Defendants by certified mail (Dkt. # 7) and DENIES without prejudice his
 18 motion to reassign this action from the Tacoma Division of this District to the Seattle
 19 Division (Dkt. # 8). The court ORDERS:

- 20 1) The Clerk shall provide a copy of Mr. Tron-Haukebo’s complaint (Dkt. # 6),
- 21 the summonses (Dkt. # 9), and this order to the United States marshal or
- 22 deputy marshal within five (5) days of the date of this order;

John R. Rost

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